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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/559,712	04/26/2000	Pratish R. Desai	19223-000510	1620
22434	7590	09/16/2004	EXAMINER	
BEYER WEAVER & THOMAS LLP P.O. BOX 778 BERKELEY, CA 94704-0778			WONG, ALLEN C	
			ART UNIT	PAPER NUMBER
			2613	

DATE MAILED: 09/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/559,712

Applicant(s)

DESAI, PRATISH R.

Examiner

Allen Wong

Art Unit

2613

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 16 July 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____.

Claim(s) objected to: _____.

Claim(s) rejected: 1-28.

Claim(s) withdrawn from consideration: _____.

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____

ANDY BAO
PRIMARY EXAMINER

Continuation of 5. does NOT place the application in condition for allowance because: on page 8-9 of applicant's remarks, applicant contends that Setogawa does not teach an apparatus or method for receiving a plurality of presentations of a video, displaying at least a portion of the presentations, and then permitting the user to select a desired presentation for display. The examiner respectfully disagrees. A DVD video player has the claimed components of the current invention, as stated below, Setogawa discloses an apparatus and method for receiving a plurality of presentations of a video (Setogawa's fig.13 is DVD player configuration where the data from DVD 101 is inputted into the system by 103, and that a DVD is a video that has a plurality of presentations, and that MPEG video decoder 115, MPEG audio decoder 116 and subpicture decoder 114 are included to aid the decoding and permitting the display of these presentations of a video, and see col.1, ln.20-23), displaying at least a portion of the presentations (see col.10, ln.55+ and fig.4 where Setogawa discloses the display of at least a portion of the presentations, and that by pressing buttons BTN#1, BTN#2, etc., one can see a display at least a portion of the presentations), and permitting the user to select a desired presentation for display (fig.12, Setogawa discloses a remote control 92 with buttons for permitting the selection of a plurality of points in time during playback, where the receiver 129 of fig.13 can receive user inputs and permitting the processing of the user's selected input of a point in time where the user wants to see and hear, so the video output, along with corresponding audio output, is sent out to display 90 for viewing; also, see fig.4, there is a plurality of chapters or presentations that can be selected from the DVD program by the user). Also, Setogawa's fig.4 discloses the display of a portion of a second presentation of said segment on menu P1 with button command shifting to BTN#2 for instructing the display of a replay of chapter 2 of the video, and button command shifting to BTN#1 for instructing the display of a replay of chapter 1, thus, Setogawa discloses displaying at least a portion of a second presentation of said segment from said video on said display while displaying said first presentation.